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STATE OF MISSOURI  
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MATT BLUNT  
GOVERNOR

STATE CAPITOL  
ROOM 216  
(573) 751-3222

July 15, 2005

The Honorable Claire McCaskill  
Missouri State Auditor  
State Capitol, Room 224  
Jefferson City, Missouri 65101

Dear Auditor McCaskill:

This comes in response to the issue of your office's requests for records which we discussed when we met yesterday in my office.

I am aware of two sources of legal authority that would apply to requests for records by the State Auditor. The first source is Section 29.130, which provides that the State Auditor has "free access to all offices of this state for the inspection of such books, accounts and papers" that are necessary for the performance of the State Auditor's post-audit function. Certainly, I recognize your constitutional and statutory authority to post-audit the financial affairs of any agency or agencies in the Executive Branch. My administration will continue to cooperate in providing your office full access, in accordance with state and federal law, to the books, accounts and papers necessary for you to perform your post-audit duties.

The second source of legal authority that would apply to requests for records by the State Auditor is Section 610.023.2 of the Missouri Sunshine Law which provides: "Each public governmental body shall make available for inspection and copying by the public of that body's public records." I recognize that the State Auditor is entitled to make requests for public records under the Missouri Sunshine Law, Chapter 610, RSMo. It is the policy of my administration to treat all requests for records from the State Auditor's office that are not related to a current audit as Sunshine Law requests. We will make all records that are available to the public under our state's Sunshine Law available as you request them at no charge. Agencies may ask you to put your records requests in writing to clarify or confirm exactly what public records you are requesting.

In our meeting, you also asked about access to the driver's license system (MODL) maintained by the Department of Revenue. I understand that you need access to certain driver record information to perform audits of other political subdivisions. However, I also understand the Department's concern that the privacy of Missouri citizens be respected and protected. I direct your attention to the Department's June 24, 2005 letter which included a proposed memorandum of agreement that will allow your office access to the information in MODL needed to perform



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your audits while at the same time protecting the personal information of individual citizens as required by law. I believe you stated in our meeting that you were willing to enter into such an agreement. I encourage you to work with the Department to come up with a memorandum of agreement acceptable to both you and the Department.

I want to make it clear that my administration will cooperate to the fullest extent allowed by law in providing your office with access to records when you post-audit the financial affairs of agencies in the Executive Branch, as well as provide you with copies of open public records you request in accordance with the Missouri Sunshine Law.

I appreciate your willingness to discuss these issues, and thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive, flowing style with a large initial "M" and a long, sweeping underline.

Matt Blunt